

NURSE GAINS POINT IN STRUGGLE FOR \$150,000 ESTATE

Anna Sees, to Whom Dr. W. E. Delabarre Gave Fortune, Wins in Appellate Division.

NEW TRIAL IS ORDERED.

Supreme Court Jury Had Given Verdict to Surgeon's Widow, Who Seeks to Break Will.

By a decision of the Appellate Division, filed in the Westchester County Clerk's office at White Plains today, the bitter contest over the estate of the late Dr. Walter E. Delabarre between the dead physician's widow, Mrs. Frances Freeland Hagaman Delabarre, and Miss Anna S. Sees, the trained nurse who was named sole legatee in the will, moved into another stage.

The Appellate Division reversed the decision of a jury in the Supreme Court at White Plains declaring the will of Dr. Delabarre to have been made under undue influence on the part of the trained nurse and sent the case back to the Supreme Court for new trial, costs to abide the event.

This victory for Miss Sees in the progress of a long and bitter legal action which has been in process since the filing of Dr. Delabarre's will in April, 1911, brings to light once more the veiled stories of scandal and skeletons in the family closet of the Delabarres. Before the \$150,000 at stake is finally disposed of by law there will be, according to the repeated threats of witnesses friendly to Miss Sees, some revelations of many things that have hitherto remained hidden.

So much of the story of Dr. Delabarre's life as has been revealed in the litigation up to date links his name with that of the trained nurse now seeking to defend the property awarded her in a romantic way. Many years ago, when young Delabarre was chief surgeon in the New York Ophthalmic Hospital, a retired German army officer brought his flaxen-haired little girl to the hospital for treatment. She was Severina Sees. The young surgeon operated upon the child himself and was so struck by her beauty that after her recovery he cultivated an acquaintance with her family in Bayonne, and often jokingly told the father and mother that when Anna was old enough to marry she would be Mrs. Delabarre.

The doctor's career led him into other paths, however, and he did not see the beautiful girl again until the night of the Brewster wreck, seven years ago. As they crawled out of their overturned coaches they came face to face in the dim light of the rescuers' lanterns and recognized one another. Dr. Delabarre had, meanwhile, married Mrs. Hagaman, the widow of a prominent man who died suddenly at the Waldorf; they were married in the final fatal illness, only three weeks. There was never any action for a separation between them, though they lived apart for eight years prior to Dr. Delabarre's death. According to Miss Sees's story the physician had consulted a lawyer concerning the obtaining of a divorce just at the time he was stricken by his final fatal illness. Miss Sees was his trained nurse during his final illness, and her Dr. Delabarre made his last will by a will drawn up on his deathbed.

HELD IN \$5,000 BAIL FOR BEATING OLD SOLDIER

Col. Supplee, Bandaged, Appears Against Belligerent Pullman Porter.

Benjamin Herrell, a Pullman porter who assaulted Col. J. Frank Supplee, retired Colonel of the First Maryland Regiment on the National Guard, on a train enroute New York over the New York Central Railroad, was held in \$5,000 bail for trial in Yorkville Police Court by Magistrate Levy today. The complainant was very weak in court and his head was swathed in bandages.

Col. Supplee was the only witness heard against Herrell. He declared the assault was unprovoked. Despite Herrell's protestation that he was attacked first and defended himself Magistrate Levy concluded to let the case go to trial. Herrell is thirty-eight years old, well built and muscular.

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Little Prima Donna Who Wears Real Sure Trousers Says They Are More Decorous Than Slit Skirts



Maggie Teyte, in Her Bloomers That Reach to the Knees, Says Her Trousers Are Frank and Don't Make Pretense to Be What They Are Not.

"A Skirt That Pretends to Cover Up and Then Doesn't Is Not Nice—I Have Seen Them That Expose Legs in Red Stockings to the Knees—I Call That Indecent," She Declares.

Marguerite Mooers Marshall. This is a tale of trousers. Whose trousers? Maggie Teyte's trousers!

Does she really? She really does. She has just arrived from London for a concert tour. With my own eyes I saw her—and THEM. So did the artist. And—because I am a woman, I can so easily imagine Miss Teyte curled up in a plumed chair, her pretty head cocked on one side, her blue eyes a-twinkle, while she ponders thus: "I haven't started anything for an age. What'll I do to make folks sit up and take notice? Every other woman slips her skirt; guess I'll leave mine off. Won't they think I'm the regular day-day?"

But she isn't. She's a delightful young woman of two-and-twenty, exactly five feet tall and as straight and slim as an exclamation point. Though she has been a prima donna since she was seventeen, she has something of a misanthropic, a bit of a prima donna dignity, a blight particularly prone to affect English and American grand opera singers. Neither Xenobia nor Queen Mary of England has anything on—but it would be unseemly to mention names. Anyway, Maggie Teyte is refreshingly simple and direct. She was born in England, but she has Irish blue eyes, rebellious red-brown locks and a pliant nose—she would probably admit that it "turns up."

NOW AS TO JUST WHAT THEY ARE LIKE.

As for THEM, they are really loose but shapely gymnasium bloomers. The pair I saw was made of brown serge and extended from the waist to just below the knee. The flange was laid in even pleats at the waistline, and the fit was so trim that neither belt nor suspenders were necessary. The fulness at the knee was generous. The fulness at the knee was generous. The fulness at the knee was generous.

A vest and a straight sack coat belong with this costume, also a soft skirt with a turnover collar. When she goes out Miss Teyte wears garters which reach from her ankles to where the trousers stop. In her own apartment black silk hosiery is sufficient and sufficiently effective, as every one knows who has seen Miss Teyte in one of her most successful roles, "Cinderella." She has the traditional Cinderella foot, small and slim enough for any glass slipper.

THEN THERE ARE POCKETS IN THEM, TOO.

But I have omitted one important detail of Miss Teyte's costume—its excuse for being. If we may believe her solemn statement. In one word—pockets. "I adore pockets!" she impressed upon me. "There is nothing in the world for which I envy a man so much as his unlimited pockets. Or at least I did envy him. Now I have pockets of my own. Four—beautiful! Two here," and she slipped them out of her trousers. "And two in my vest."

Miss Teyte doesn't indulge in hip pockets, but, you see, she doesn't want to carry either a bottle or a pistol. "Now, aren't these ever so much more convenient than that?" she went on frankly, pointing to the handbag in my lap.

I had to agree with her. I, too, have been in Acadia. When I was eleven years old and wore garter skirts the dressmaker always gave me at least one big pocket.

"But you don't wear this dress all the time?" I asked.

"Most of the time," said Miss Teyte, with an airy toss of her head. "Too see, I'm wonderfully keen on sports."

I was born and brought up in the country, and I have a number of brothers. All through my childhood I ranged about with them, and of course I couldn't wear elaborate clothes.

"Now, though I am in London so much, I go out golfing two, three, four times a week. Of all sports, golf is my favorite, and I can play a very much better game in this costume than when I am clogged and hampered by skirts—even short ones. For tennis, for rowing, for cricket, this is the only sensible costume. I do not consider a skirt safe when one is riding on horseback. And when one wishes to walk, really walk, say twelve or fourteen miles on a stretch, one ought not to be bothered with skirts."

"But the conventions?" I suggested, mildly. "Don't your friends think you are a bit indiscreet?"

"I have never inquired whether they think so or not," smiled Miss Teyte. "And does your husband like your costume?"

"He has to stand for it!" and the pliant nose pointed at the ceiling more defiantly than ever.

HUSBAND PROUD TO LET HER WEAR THE BREECHES.

But waste not your pity on M. Eugene Plummon, who is "Mr. Teyte." It was he who proudly showed me pictures of his betrothed spouse. I am sure her sartorial inspirations distress him no more than they do the little Italian dog Oscar, who is the third member of the Teyte ménage. (Oscar is NOT named for an impresario.)

"A woman should dress to please herself," Miss Teyte continued her declaration of independence. "First of all, she should be comfortable. When she is both comfortable and chic she has achieved real success. Tight skirts in which a woman cannot walk, big heavy tails which give her headaches are abominable. I think that the fashions of to-day, at least when carried to extremes, are quite impossible."

"The slit skirt is much more improper than my trousers. The latter are frank and do not pretend to be what they are not. The slit skirt is vulgar because it is suggestive. I saw a great fat woman wearing one the other day, and oh! but she was dreadful! The skirt was slit to her knees, and she wore red silk stockings. She was what I call indecent. A skirt that pretends to cover up and then doesn't—that is not nice. But as for my dress—well, what do YOU think?" ended Miss Teyte with a smiling shrug.

"I think you are very charming in it," I replied. "But I don't seem to see a fat woman wearing it."

"Miss Teyte, you can't see the poor thing!" Miss Teyte exclaimed, teasingly, with a quite unconscious plagiarism of M. Poirot. A fat man is certainly a darling of the gods as compared with a fat woman.

IN THE EVENING IT IS DIFFERENT.

"Are you evening frocks out of fashion?" I asked.

Miss Teyte shook her head. "I believe that a woman should always be as much of a woman as possible in the evening," she replied.

"I wear corsets, yes, though I do not wear them to look as if I were them—you know what I mean?" I never wear rouge or cosmetics of the stage. Plenty of fresh air and outdoor exercise are the best aids to the complexion.

"But I do not see why American women should not adopt my costume for everyday work and play. When women are emancipated from the tyranny of clothes they will find less difficulty in fighting against political tyranny."

Which is doubtless true. But I doubt if most of us can be convinced that emancipation is spelled trousers—especially if it's nature, but is it art?

WOMAN RIFLES PURSE.

Boys, Witnesses of Alleged Theft, Cause Her Arrest.

Two small boys ran up to Mrs. Rebecca Davis of No. 34 Bedford avenue, Williamsburg, today while she was market- ing at South Second and Halsey streets and told her that Mrs. Lottie Ederstein, whom they pointed out, had just opened her handbag and robbed it. Mrs. Davis's bag was open on her wrist. A dollar in money and two small rings valued at \$24 were missing from it.

Police Officer Coughlin arrested Mrs. Ederstein and took her to the Bedford station. The boys, whose names the police withheld, were kept as witnesses against her.

REGISTRATION IS 'C' WITH PRECAUTIONS TO PREVENT FRAUD

Two Thousand Students at the Polling Places to Watch for Colonizers.

The keenest interest was shown today by political managers of all parties in the results of the early registrations.

The polls opened at 7 o'clock this morning and will continue open until 10 o'clock to-night. If the registrations are heavy in the strong Republican districts, the Fusion cause will see in it an omen of success in November. If fewer voters prepare themselves today for Election Day than was done four years ago, the students say, a lack of interest will be evidence that the Fusion nominees have a hard fight on their hands.

Commissioner Moses McKee of the Board of Elections said today that the returns would not be entirely tabulated for a day or so. The manner of registration does not differ from that of the other years, the changes under the new Election law being confined to pre-election details, such as the shortening of the primary ballot and the provision for the enrollment of the new Hull-McCue party. The board has been informed that some two thousand students will be assigned to registration places with a view of observing what is done.

WATCHING MUST NOT INTERFERE WITH THE WORK.

"We have no objection to these watchers," said the Commissioner. "So long as they do not interfere with the orderly conduct of the registration none of the election books will annoy them. They have the right to be present to observe and report what irregularities they may discover. We are as determined as they are to see to it that the registrations are conducted absolutely fairly and honestly, as I have every reason to believe they will be."

Some of the members of the Board of Elections expressed surprise at the tenor of the letter sent yesterday by Mayor Kline to Commissioner Waldo. Under the suggestions of the late Mayor Gaynor the widest liberty was given the voter. No policeman was allowed to stand within 20 feet of the polling places under Mayor Gaynor's orders. Commissioner Waldo was in this way to keep the police from interfering in the activities degree in the conduct of the primaries and elections. Mayor Kline did not specify where the policemen are to stand. He merely told the Police Commissioner that he (the Mayor)

would hold Mr. Waldo personally responsible for a clean registration. NO OCCASION FOR ALARM, HE SAYS.

"There is no occasion for such alarm," said one of the Election Board to-day. "We have had decent and fairly clean primaries, registrations and elections in New York recently and beyond the statements of alarmists, there is no reason to believe that things will be altered this year. The day of the repeater and thug in New York politics is behind us and I can see no valid reason for giving the city another black eye by parading worries that New York cannot have an honest election."

The Honorable Association of which Dr. Talcott Williams of Columbia University is president has detailed watchers in nearly every registration place in Manhattan to look out for the "army of professional thugs and repeaters brought here from neighboring cities," as Mayor Kline quoted. These students will also watch the registration books to-day.

To all the students the Citizens' Municipal Committee has engaged the services of hand writing experts whose duty it will be to compare signatures on the registration books with a view of detecting any "broken colonizers" or "paid repeaters."

Election Commissioner McKee said the registration books would be regarded just as any other public documents and that persons dealing to scrutinize the handwriting of suspicious persons would have free access to these books. The inspection of the signatures will be begun after the second day's registration to-morrow.

BAKER WITH \$250 GONE.

Segall Started for Tax Office and Home Returned.

Isadore Segall, a well known wholesale baker and proprietor of two restaurants at Coney Island, left his home on Shell road, near Neptune avenue, last Wednesday with \$250 in his pocket, saying he was going to the tax office in Long Island City to pay his taxes. He has not been seen by any of his family or friends since and to-day a general alarm was sent out for him.

Segall drew \$500 from the Bank of Coney Island on Wednesday, gave half of it to his son, Irwin, and started away from his home with the remainder. When he did not reappear that night Irwin Segall went to the tax office in Long Island City and learned that his father had not been there. Since Segall always telephoned home when he was kept away over night by business, his wife and four children were greatly alarmed at his continued disappearance.

He is described as a man 6 feet tall, but so round shouldered as to appear deformed, weight about 155 pounds. He carried a black Oxford overcoat and wore a black and white striped suit when he left his home.

New York's Smallest Store Building. The smallest store building in Manhattan is to be located on the south east corner of Forsyth and Eldridge streets. Plans are now filed for it. It will have a frontage of two feet two inches on Forsyth street and 40 feet on Eldridge. It will be three stories high and cost \$2,000.

NEW YACHT FOR KAISER, WHO MAY CHALLENGE FOR THE AMERICA'S CUP

Success of Designer Oertz Will Determine Whether Craft Will Race.

HAMBURG, Germany, Oct. 10.—Emperor William to-day ordered from Max Oertz, the yacht builder of the city, a new schooner to replace his present racing yacht Meteor, and her success will have an important bearing on the question whether Germany will challenge for the America's Cup with a cutter designed by Oertz. Max Oertz was the designer of the last Meteor as well as of the Germania, belonging to Gustav van Krupp von Hellern and Halbach, and several other fairly successful 50-foot yachts.

The new schooner for the Emperor is to be built at the Krupp works at Kiel, and probably will have less waterline than her predecessor, which was forced to concede heavy time allowances to her competitors.

The Emperor has the fullest confidence in the ability of Max Oertz, and ordered the new boat without waiting for the launching of the new yacht under construction by Herreshoff for Robert E. Tod of the New York Yacht Club.

LOSES LEGS, THEN LIFE.

Cyrus Anderson, fifty-two years old, of No. 34 East One Hundred and Forty-sixth street, died last night in the Lincoln Hospital as the result of injuries followed by amputation of his legs. Anderson was erecting a scaffold in

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AUTO THAT KILLED A MAN IS OWNED BY MRS. FLEITMAN

Her Chauffeur, Gustave Esser, Has Not Reported for Duty To-Day.

WOMAN SEEN IN CAR.

Said to Have Ordered Driver to Flee, Which He Did, Leaving Victim.

The whereabouts of Gustave Esser, chauffeur of Mrs. Ewald Fleitman of No. 42 West Seventy-seventh street, are being sought by the police of the One Hundred and Twenty-fifth Street Station to-day in the belief that he knew something of the killing of Edward A. Harvey of No. 38 East One Hundred and Fourteenth street and Seventh avenue last evening by an automobile. The car which struck Harvey bore the number, the police were informed, "42-73 N. J.," which is registered at Trenton as the license number of Mrs. Fleitman, who has a summer home at Sea Bright.

At the Fleitman town house it was said the chauffeur had been instructed to take the car to the garage at half past five last night. He was called to the house at half past seven o'clock. He said nothing at that time of an accident. Mr. Harvey was struck at half past six o'clock.

Mrs. Fleitman refused at first to give her name to the police, saying that she wished to question him. He did not appear at her home to-day as ordered and Mrs. Fleitman said she believed he was hiding.

Mrs. Fleitman said she had no information as to the man and woman said to have been in the car.

Witnesses told the police that the car dashed through Seventh avenue late in the crowd at the crossing at thirty miles an hour. Those on the walks scattered, but Harvey tripped. He was knocked twenty feet and thrown against the iron fence of the Seventh avenue parking.

The spectacle brought indignant men back into the roadway. The car halted for a moment and then a woman's voice was heard.

"What are you stopping for, you idiot? Hurry up out of this!"

At this the chauffeur put on full speed and in an instant the car had disappeared in the darkness.

Policeman Friedlander commanded a racing car belonging to Charles Weisberger, a Harlem marketman, and started in pursuit, having first picked up the injured man and identified him as Harvey. He directed Weisberger's chauffeur to put on high speed and overtake the fugitive, who by this time had disappeared up Seventh avenue.

But at One Hundred and Thirty-seventh street Friedlander turned to his injured passenger and saw that his condition was very serious. The bottom of the car was covered with blood. The policeman directed the chauffeur to hurry to the Harlem Hospital. There Harvey was hurried to the operating table, but before the surgeons could arrive he died.

MARTIN SHERIDAN STRICKEN.

Old Injury Forces Police Athlete to Go to Hospital.

Detective Martin Sheridan, athlete and hero of the Olympic games, reported sick at Police Headquarters last night, and soon after was admitted as a patient to the Harlem Hospital. He has an open wound on the end of his spine, which may require an operation.

He said that eight years ago he was kicked by a horse. The injury gave him much trouble but he did not have it treated. Some months ago in a Gaelic football game the old wound was broken open and it has refused to heal. Sheridan told the doctors he had lost more than one athletic contest because of the injury and in the past few weeks it had given him much pain.

LOSES LEGS, THEN LIFE.

Cyrus Anderson, fifty-two years old, of No. 34 East One Hundred and Forty-sixth street, died last night in the Lincoln Hospital as the result of injuries followed by amputation of his legs. Anderson was erecting a scaffold in

the stone yard of J. B. Williams, at One Hundred and Thirty-second street and Walton avenue, when a heavy derelict fell upon him. Both legs were fractured and immediate amputation was necessary. Anderson died shortly afterward.

PLAN NEW PRINCETON CHAIR.

Jersey Alumni Seek \$100,000 for Engineering Chemistry.

The Federation of Princeton Clubs of New Jersey have completed plans which are expected to result in the foundation of a \$100,000 chair in engineering chemistry for Princeton University.

A committee of twenty-six has been drawn from the Jersey alumni. It is divided into two sections, one to canvass Princeton alumni in New Jersey and the other to canvass Jersey manufacturers.

The new course will have the endorsement of President Hilborn, the Graduate Council and the Engineering Association. It is designed to give engineering students a knowledge of the commonest construction materials and a familiarity with the electro-chemical and electro-metallurgical industries.



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